

Robert H. Harrison to George Washington, January 10, 1772, Letters to Washington and Accompanying Papers. Published by the Society of the Colonial Dames of America. Edited by Stanislaus Murray Hamilton.

FROM ROBERT H. HARRISON, ESQ.

ALEXANDRIA Jany 10. 1772

SIR

I do not think you would be safe in purchasing the land in dispute between Messrs West and Posey. that is that you would be liable to the penalties of the Stat 32 H 8ch 9 which I have transcribed & herewith send you for your perusal¹—It does not appear by this Stat that Bonds &c respecting Sales of pretended Titles are void; It only subjects the purchaser to a forfeiture of the Value of the Land, that is the bona fide price paid; as It does the Vendor to that of the Sum received; Nor does It avoid a Conveyance—But should you & Mr. West incline to conclude a Bargain, risking a prosecution On this stat, the best way would be to have Two Deeds; One for the Land to which he is Indisputably Intitled recitg the Considn paid for that & a separate one for that in dispute.

I think that the Court will not Allow make a Restoration in the decree as to Barry's Crop, as he might by his Answer to the Bill (had It been filed at the Court after the Bill was brought) have had his part of the Land ascertained by a Division and then only Cultivated his own—proof of his avowed design of keeping you out of your part, will do not harm, probably be of Service—I shall endeavour to get It tried as soon as possible & If I can get the division

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to be made upon a day not Interfering with my Attendance at some of *my Courts*, will most certainly be present²—

I shall apply to the Doctor³ next Prince William Court for payment tho shall not expect It—
If he shall refuse I think It will be Advisable to Waite & arrest him here.

I observe your kind postscript but as my being appointed to the Office depends upon Mr Graysons⁴ leaving the Court & his leaving the Court (probably) upon his being a Representative, I am afraid that the Office is remote—and as Mr Randlop⁵ has given his promise I imagine that another Application will not be necessary, however if you think It necessary you will please to do It—I heartily wish you a much better journey to the Capitol than I think you will have⁶

And am sir with great respect Yr much obliged Hble Servt ROBT H: HARRISON

PS

As to the matter of Interest I dont know that the Court can in the present case make Barry pay It but I will Consider of It

1 By 32 H 8ch 9 It's enacted That no person shall from thenceforth, bargain, buy "or sell, or by any ways or means, Obtain, get or have any pretended rights, or titles, "or take, promise, grant, or Covenant to have any right, or title of any person, in or "to any Lands (Except such person which shall so bargain, sell, give, grant, covenant "or promise the same, their antecessors or they by whom he claims the same, have been "in possession of the same, or the Reversion or Remainder thereof, or taken the Rents "or profits thereof, for one Year next before the said bargain, Covenant, Grant, or "promise made) upon pain that he that shall make such bargain, Sale, promise, Cove- "nant or Grant, to forfeit the whole value of the Land, bargained, Sold, promised, "Covenanted or Granted, contrary to the said Act: And the Buyer or Taker thereof "knowing the same, to forfeit the Value of the Land, by him bought or Taken; the "one Moiety of the Value to go to the King the other to him who will sue for the "same. And for the due Execution of the sd Act, the Justices of Assize within England & "elsewhere within the Kings Dominions shall in every County, twice a year, cause open "proclamation to be made of the same, to the Intent that no manner of persons, hear "ing the same, should be Ignorant or Miscognizant of the Dangers & penalties, "therein contained and specified. Provided, that no person offendg against the same shall be Subject to the Penalties "thereof, Unless Sued within 1 Year after the Offence Committed.

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2 Entries in Washington's Ledger. 2772 Aug. 20. By Cash pd. Mr Harrison Services in my Suit against 2.26 Jno. Barry & Son 2773 Mrs. John Barry Drs Jan. 2 To 2 half of the Cost in obtaining a Divin. of Wades Land—pr. Decree of Fairfax Court—See Clerks Notes & CA. viz you paying 224 lbs of Tobo. & G. W. 20.3 279 yr. deffty. [deficiency] there fore exclusive of Surveyors Fees being 82½ lbs of Tobo. a 22/6

3 Dr. William Savage.

4 Hon William Grayson afterwards U. S. Senator.

5 Peyton Randolph.

6 Extract from Washington's Journal for 6772.Feb. 25. Set of for Williamsburg but not being able to cross Occatinck (which was much Swelled by the late Rains) I was obliged to return home again— 26. Sett off again and reached Colchester by nine Oclock where I was detain'd all day by high winds & low tide— 27. Crossd early & breakfasted at Dumfries—got to Fredricksburg in the afternoon & lodgd at Colo. Lewis's 28. Stayd all day in Town with my brother John &oa dined at Colo. Lewis's & spent yo Evening at Captn Weedon's 29 Prosecuted my journey—dined at Caroline Ct House & lodged at Todds Bridge. Mar. 6st Reachd Colo. Bassetts from Todds Bridge by 62 Oclock—stayd there the remainder of the day.— 2 Set out for Williamsburg and got in about 62 Oclock—dined at the Speakers and supd at the Treasures The following items from Washington's Ledger for 6772 denote the cost attendant upon a journey from Mount Vernon to Williamsburg. Feby 26 By Expences at Colchester 67 60 By Ditto at Dumfries 3 – 27 By Expences at Fredericksburg 8 9 29 By Expa. at Caroline Ct House 4 3 March 6 By Ditto at Todds Bridge 6 7 By Ferriage at Ruffins 3 –